

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BUTTE DIVISION**

L. KEELEY CONSTRUCTION CO.,
an Illinois corporation,

Plaintiff,

vs.

DEVELOPERS SURETY AND
INDEMNITY COMPANY, a
California corporation, THE OHIO
CASUALTY INSURANCE
COMPANY, an Ohio corporation, and
WEATHERGUARD
CORPORATION, a Montana
corporation,,

Defendants.

No. CV-19-39-BU-SEH

ORDER


On March 9, 2021, Plaintiff and Defendants Developers Surety and Indemnity Company (“Developers”) and The Ohio Casualty Insurance Company (“Ohio”) filed a joint motion for dismissal with prejudice of Developers and Ohio.¹ Whether Defendant Weatherguard Corporation opposes the motion is unknown.

¹ See Doc. 48.

ORDERED:

The motion² is DENIED WITHOUT PREJUDICE to resubmission, if appropriate, upon notice to the Court as to whether Weatherguard Corporation opposes the motion.

DATED this 9th day of March, 2021.



SAM E. HADDON
United States District Judge

² Doc. 48.